

House Bill 580

By: Representatives Allison of the 8th, Willard of the 49th, Ralston of the 7th, Powell of the 171st, and Weldon of the 3rd

A BILL TO BE ENTITLED
AN ACT

To amend Part 1 of Article 2 of Chapter 10 of Title 9 of the Official Code of Georgia Annotated, relating to venue, so as to provide definitions; to provide a uniform venue provision in certain proceedings involving the constitutionality of certain provisions of law; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 1 of Article 2 of Chapter 10 of Title 9 of the Official Code of Georgia Annotated, relating to venue, is amended by adding a new Code section to read as follows:

"9-10-35.

(a) For the purposes of this Code section, 'public officer' means:

(1) Every constitutional officer;

(2) Every elected state official;

(3) The executive head of every state department or agency, whether elected or appointed;

(4) Each member of the General Assembly; and

(5) The executive director of each state board or commission and the members thereof.

(b) For purposes of any civil action involving a challenge to the constitutionality of any state statute, rule, regulation, or action, with the exception of habeas corpus actions, against a public officer in his or her official capacity, the county of residence of the defendant shall be the county in which is found the primary office of the governmental entity of which the defendant is an officer."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.